

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Stanley R. Chesler

v. : Crim. No. 09-863 (SRC)

MICHAEL C. SCIARRA, et al. : ORDER

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Leslie Faye Schwartz, Assistant U.S. Attorney), and defendants Michael C. Sciarra (by Edmund DeNoia, Esq.), Peter Ventricelli (by Michael N. Pedicini, Esq.), Michael A. Sciarra (by Anthony J. Pope, Esq.), and Mark Ventricelli (by Gerald D. Miller, Esq.) for an order declaring this matter to be a complex case pursuant to Title 18, United States Code, Section 3161(h) (7) (B) (ii); and the defendants being aware that absent such a finding that they would have a right to be right to be tried within 70 days of the date of their first appearance before a judicial officer in this district in connection with this matter pursuant to Title 18 of the United States Code, Section 3161(c) (1), and the charges being the result of a lengthy investigation and the defendants needing sufficient time to review extensive discovery and to investigate the charges and file motions in this case; and Paul J. Fishman, United States Attorney for the District of New Jersey (Leslie Faye Schwartz, Assistant U.S. Attorney, appearing) having concurred in the assertion that this matter is complex as defined in the statute;

and the Court having found that an order granting a continuance of the proceedings in the above-captioned matter should be entered, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. This case involves allegations of extortion that occurred over several years.

2. The discovery in this case is significant, in that it includes, among other things, approximately seventy-five compact discs and cassette tapes, containing hundreds of hours of consensually recorded conversations.

3. The defendants and their counsel need time to review the extensive discovery in this matter.

4. In light of the serious allegations, the defendants need sufficient time to investigate the charges.

5. In light of the discovery and depending upon the results of their respective investigations, each defendant will need time to determine whether or not to file motions in this matter and what motions should be filed.

6. In light of these findings, and given the nature of the case and its complexity, it is unreasonable to expect adequate preparation for pretrial proceedings or the trial itself within the time limits established under the Speedy Trial Act.

7. The defendants consent to the aforementioned continuance.

8. The grant of a continuance will enable counsel for the defendants to adequately review the discovery, prepare motions, and proceed with trial

9. Pursuant to Title 18, United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendants in a speedy trial.

WHEREFORE, it is on this **5** day of
ORDERED that this matter is hereby designated a complex
case;

IT IS FURTHER ORDERED that the proceedings in the above-captioned matter are continued from December 3, 2009 and January 31, 2010;

IT IS FURTHER ORDERED that the period between December 3, 2009 and January 29, 2010 shall be excludable in computing time under the Speedy Trial Act of 1974;

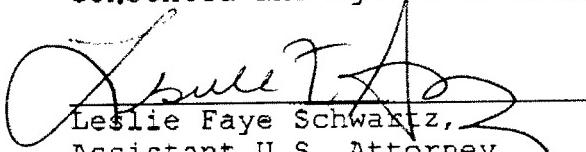
IT IS FURTHER ORDERED that the defendants shall file their motions no later than January 29, 2010; and

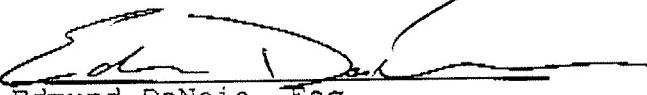
IT IS FURTHER ORDERED that a schedule of proceedings in this matter shall be set once the defendant's motions have been filed.



HON. STANLEY R. CHESLER
United States District Judge

Consented and Agreed to form and entry by:


Leslie Faye Schwartz,
Assistant U.S. Attorney


Edmund DeNoia, Esq.
Counsel for Michael C. Sciarra

Michael N. Pedicini, Esq.
Counsel for Peter Ventricelli

Anthony J. Pope, Esq.
Counsel for Michael A. Sciarra

Gerald D. Miller, Esq.
Counsel for Mark Ventricelli

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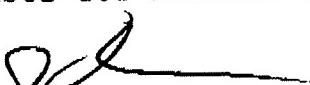
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